

# KLETT ROONEY LIEBER & SCHORLING

A PROFESSIONAL CORPORATION

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October 1, 2001

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Food and Drug Administration  
Office of Special Nutritionals (HFS-450)  
Center for Food Safety and Applied Nutrition  
200 C Street, SW  
Washington, DC 20204

## Re: Dietary Supplement Marketing Claims

Dear Sir or Madam:

Pursuant to 21 CFR 101.93, a manufacturer/distributor of dietary supplements, which are marketed with structure/function claims, is required to send your office notice of the marketing of these products and the associated claims. On August 24, 1998, October 7, 1998, June 24, 1999, July 13, 1999, October 7, 1999, and May 30, 2000 DCV, Inc. and its wholly-owned subsidiary Legacy USA, Inc. sent you notices of structure/function claims associated with its various dietary supplement products.

On July 31, 2001, substantially all of the assets of DCV, Inc. were purchased by Arkion Life Sciences LLC, including Legacy USA, Inc.

This letter will serve as notice that as of July 31, 2001 the record should be corrected to reflect that the current manufacturer of the products listed on Exhibit A (attached) is Arkion Life Sciences LLC located at 3521 Silverside Road, Wilmington, Delaware 19810 and the distributor is Legacy for Life, LLC located at 2725 Center Place, Melbourne, Florida 32940. All other information contained in the prior notices remains the same.

If you have any questions or require additional information, please contact Mark Gundersen, Esquire at (302) 552-4225. Thank you for your assistance in this matter.

Very truly yours,



Mary M. McAteer, Paralegal  
For KLETT ROONEY LIEBER & SCHORLING  
A PROFESSIONAL CORPORATION

Attachment

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**EXHIBIT A**

1. "BioChoice" - see letters dated August 24, 1998, October 7, 1998, and July 13, 1999
2. "BioChoice Flex" - see letters dated June 24, 1999 and July 13, 1999
3. "BioChoice Slim" - see letter dated October 7, 1999
4. "BioChoice Pylorex" - see letter dated May 30, 2000